

U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

March 10, 2008

VIA HAND DELIVERY

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl St., Room 755
New York, NY 10007

Re: Zidani v. Chertoff, et al.
07 Civ. 8693 (LTS)

MEMO ENDORSED

IT IS ORDERED that counsel to whom this Memo Endorsement is sent is responsible for faxing or otherwise delivering promptly a copy to all counsel for the unrepresented parties and filing a certificate of such service within 5 days from the date hereof. Do not send such certification to Chambers.

Dear Judge Swain:

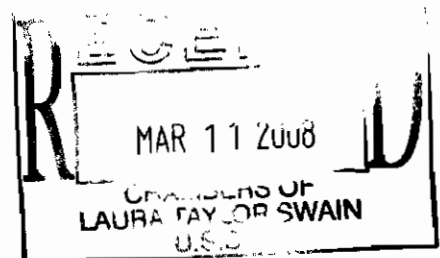
This Office represents the defendants, Michael Chertoff, Secretary of the Department of Homeland Security, Eduardo Aguirre, Director of the United States Citizen and Immigration Services ("USCIS"), Andrea Quarantillo, New York District Director of USCIS, and Michael Mukasey, Attorney General of the United States (collectively, the "Government"), in the above-referenced mandamus proceeding. Plaintiff seeks to compel adjudication of her I-485 Application for Permanent Residence, which was originally based on her marriage to a United States citizen. We write respectfully, with Plaintiff's consent, to seek an adjournment of the Government's time to respond to the Complaint.

At this time, this Office has been advised by USCIS that Plaintiff's self-petition Form I-360 as a Violence Against Women Act ("VAWA") applicant, alleging abuse by her husband, which was filed in December 2007, was granted. As such, USCIS will now be able to proceed to adjudicate her I-485 application. USCIS believes that the I-485 will be adjudicated within the next 30 days.

As a result, the Government respectfully requests a third extension of time to respond to Plaintiff's Complaint, until April 10, 2008, to enable USCIS to adjudicate Plaintiff's I-485 application in light of the recent grant of Plaintiff's I-360 application. The Government believes the extension will avoid the need for further litigation. Additionally, we request an adjournment of the pre-trial conference currently scheduled for March 14, 2008. Plaintiff, who is proceeding *pro se*, consents to the extension request and adjournment.

Copies mailed/faxed to
Chambers of Judge Swain

Def't's Counsel
3-12-08




Thank you for your consideration of this request.

Respectfully requested,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:

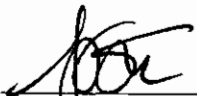

CAROLINA A. FORNOS
Assistant United States Attorney
Telephone: (212) 637-2740
Facsimile: (212) 637-2702

cc: **Via Email and First Class Mail**

Laetitia Zidani, *Pro Se*
1771 First Avenue, Apt. 7
New York, NY 10128
Email: lzd0160@yahoo.com

*The requested extension and
adjournment are granted. The
conference is adjourned to
May 2, 2008, at 11:45 AM.*

SO ORDERED.

 3/12/08

LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE